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Third Evaluation Round

Second Compliance Report on Monaco

“Incriminations (ETS 173 and 191, GPC 2)”

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“Transparency of Party Funding”

Adopted by GRECO
at its 73rd Plenary Meeting
(Strasbourg, 17-21 October 2016)

I. INTRODUCTION

1. The Second Compliance Report evaluates the additional measures taken by the Monegasque authorities since the adoption of the first Compliance Report to implement the recommendations made by GRECO in its Third Round Evaluation Report on this country (see paragraph 2). It should be noted that the Third Round Evaluation Report covers two distinct themes, namely:
 - Theme I – Incriminations: Articles 1a and b, 2 to 12, 15 to 17 and 19.1 of the Criminal Law Convention on Corruption (ETS 173), Articles 1 to 6 of the Additional Protocol thereto (ETS 191) and Guiding Principle 2 (criminalisation of corruption).
 - Theme II – Transparency of party funding: Articles 8, 11, 12, 13b, 14 and 16 of Recommendation Rec(2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns, and – more generally – Guiding Principle 15 (financing of political parties and election campaigns).
2. The Third Round Evaluation Report was adopted at GRECO's 54th Plenary Meeting (20-23 March 2012) and was made public on 29 March 2012, following authorisation by Monaco (Greco Eval III Rep (2011) 5E, [Theme I](#) and [Theme II](#)). The subsequent Compliance Report was adopted at GRECO's 64th Plenary Meeting (20 June 2014) and made public on 26 June 2014, with Monaco's authorisation ([Greco RC-III \(2014\) 4E](#)).
3. As required by GRECO's Rules of Procedure, the Monegasque authorities submitted their second Situation Report with additional information on the measures taken to implement the recommendations which, according to the Compliance Report, had been only partly implemented or not implemented. This second Situation Report was received on 1 October 2015 serving as the basis for the second Compliance Report.
4. GRECO selected San Marino and France to appoint Rapporteurs for the compliance procedure. The rapporteurs appointed were Mr Eros GASPERONI, Counsellor, Ministry of Foreign Affairs (San Marino) and Ms Agnès MAITREPIERRE, Chargée de mission, Directorate of Legal Affairs, Ministry of Foreign Affairs (France). The Rapporteurs were assisted by the Secretariat in drawing up this Second Compliance Report.

II. ANALYSIS

Theme I: Incriminations

5. In its Evaluation Report, GRECO had addressed 14 recommendations to Monaco in respect of Theme I. In its subsequent Compliance Report, GRECO concluded that recommendations i, ii, iv to xi and xiii had been implemented satisfactorily, recommendations iii and xii had been partly implemented and recommendation xiv had not been implemented. Compliance with recommendations iii, xii and xiv is dealt with below.

Recommendation iii.

6. *GRECO recommended to take the appropriate measures (such as circulars, training sessions or additions to the explanatory report of the draft legislation) to specify or recall, according to circumstances, that the future offence(s) of bribery (and trading in influence, should it be criminalised) do not necessarily entail an agreement between the parties and that evidence of a*

link between the undue advantage and its consideration may also be based on objective factual circumstances.

7. GRECO recalls that, in the authorities' view, the provisions of the new Article 113-2 CC¹ as introduced by Law No. 1394 are clear and, in principle, not such as to cause any difficulties of interpretation. Nonetheless, to comply with the recommendation, the Judicial Services Directorate had forwarded to judges a copy of GRECO's report and recommendations, which were referred to in the explanatory report to Law No. 1394, so that they would have the fullest possible information on the spirit of this law. While welcoming this initiative, GRECO considered this to be far from sufficient and open to various interpretations in the absence of other, more specific, measures such as those specified in the recommendation. For these reasons, the recommendation was deemed to have been partly implemented in the Compliance Report.
8. The authorities now indicate that in order to follow up on GRECO's suggestions, the Director of Judicial Services sent a "circular" memorandum to the State Prosecutor on 3 July 2015 containing additional information on how the offence of bribery should be interpreted. A copy of this memorandum was also sent to the Heads of Courts. In the memorandum, the Director of Judicial Services specifies that bribery presupposes a material element (which may be merely a unilateral act such as a simple offer or promise by the briber) and an element of intention, i.e. a willingness to bribe or be bribed. In the words of the memorandum "evidence of bribery has for a long time been seen as requiring the existence of a previous link – "a corruption agreement" – at least in the mind of the perpetrator, between the undue advantage and the act expected of the person bribed. This link should be adducible from objective factual circumstances and not necessarily from the existence of a corruption agreement between the briber and the person accepting the bribe. In point of fact, in application of the Criminal Law Convention on Corruption (Articles 2 and 3), it must in principle be possible to prosecute the bribe giver or the bribe taker on the basis of their acts and behaviour alone, regardless of the criminal conduct or intent of the other party. It is therefore a question of a unilateral act. (...) The same reasoning should be adopted with regard to trading in influence (...)". The authorities add that in order to supplement this approach, the Director of Judicial Services will in the coming months be holding a training seminar for judges on this question.
9. GRECO welcomes the fact that more specific measures for judges have now been taken to comply with the requirements of the recommendation. It considers, in particular, that the circular sent to the State Prosecutor and the Heads of Courts makes it sufficiently clear that evidence of a corruption agreement – in the sense of a criminal intent of the briber and the person accepting the bribe as demonstrated by an agreement between them – was not required by the new provisions of the CC relating to bribery and trading in influence. The authorities are encouraged to monitor the practical application of the clarifications set out in the circular in order to assess whether further training sessions may prove necessary in the future.
10. GRECO concludes that recommendation iii has been implemented satisfactorily.

¹ Law No. 1394 of 9 October 2012 reforming the Criminal Code and the Code of Criminal Procedure with regard to corruption and special investigation techniques, which entered into force on 13 October 2012 following its publication in the Official Gazette (Journal de Monaco), No. 8090 of 12 October 2012.

Recommendation xii.

11. *GRECO recommended (i) to criminalise active and passive bribery of domestic and foreign arbitrators and jurors, while ensuring and making clear, in an appropriate manner, that the wording of the proposed new provisions of the Criminal Code reflects the various elements of Articles 2 to 6 of the Additional Protocol to the Criminal Law Convention on Corruption (ETS 191) and (ii) to sign and ratify the said Protocol as soon as possible.*
12. GRECO recalls that in the Compliance Report, this recommendation was deemed to have been partly implemented. On the one hand, the Additional Protocol to the Criminal Law Convention on Corruption had been ratified by Monaco (second part of the recommendation). On the other, while noting the authorities' arguments to the effect that acts of active and passive bribery of domestic and foreign arbitrators and jurors would be deemed criminal offences by the new legislation, GRECO would have expected the authorities to take tangible measures – legislative or other – to dispel the doubts expressed by GRECO in the Evaluation Report (first part of the recommendation).
13. The authorities reiterate that domestic arbitrators and jurors are covered by the term “national public official” as defined by the first paragraph of the new Article 113 CC, and foreign arbitrators and jurors are covered by the term “foreign public official”, as defined by the second paragraph of the same Article. They explain that these categories of persons perform acts pursuing a general-interest aim and therefore come within the scope of the CC provisions on bribery. Nonetheless, in order to take GRECO's position into account, the authorities have called on their legal departments to include a specific reference to active and passive bribery of domestic and foreign arbitrators in paragraph 4, Section II, Chapter III, Part III of the Criminal Code.
14. GRECO takes note of the information provided and welcomes the fact that the authorities have taken measures to ensure that the active and passive bribery of domestic and foreign arbitrators is made an explicit criminal offence. Nonetheless, in the absence of any tangible progress in this area, GRECO cannot regard the second part of the recommendation as having been implemented.
15. GRECO concludes that recommendation xii remains partly implemented.

Recommendation xiv.

16. *GRECO recommended (i) to consider establishing the jurisdiction of the Principality of Monaco with regard to offences of corruption and trading in influence committed by public officials or members of assemblies whatever their nationality, and to offences committed by foreign nationals and involving Monegasque public officials, members of Monegasque assemblies or Monegasque citizens vested with functions at international level, in accordance with Article 17 paragraph 1 of the Criminal Law Convention on Corruption (ETS 173); (ii) to consider abolishing the restrictions on jurisdiction established in law (dual incrimination, need for the authorisation of the prosecuting authorities and need for a complaint from the injured party or an official report from the foreign authorities) and, therefore (iii) withdrawing or not renewing the reservation to Article 17 of the said Convention.*
17. GRECO recalls that it had concluded in the Compliance Report that the recommendation had not been implemented. In view of the scope of this recommendation, the Government had decided to consult its legal advisers on these questions.

18. The authorities state that the Government had sought the opinion of its legal advisers on the questions raised in the recommendation. The legal departments in question are currently studying these conclusions so that the government can state its position on the changes recommended in full knowledge of the facts. With regard to the first point in the recommendation, the authorities make it clear that the legal departments of the Government are examining all the cases aimed at by the recommendation. It would appear that in the view of the aforementioned legal advisers, the establishment of such jurisdictional rules would require the inclusion of new provisions in the Code of Criminal Procedure (in this case, a new Article 6-2) and a change to the CC (more specifically, Article 113 for offences of bribery and trading in influence). If such new provisions were added to the already existing regulations, all the cases aimed at by the recommendation could be dealt with under the penal law. That said, the inclusion in Monegasque law of a rule of universal jurisdiction for the courts in the Principality would mark a departure from the founding principles of Monegasque criminal procedure by enabling the domestic courts to prosecute bribery offences committed abroad by foreigners, in the absence of jurisdictional connection (territoriality, nationality, etc.).
19. With regard to the second point in the recommendation, the above-mentioned changes to the Code of Criminal Procedure would lead to the abolishment of the current restrictions on the exercise of jurisdiction pointed at by the recommendation. Such changes would not appear, at this point, to present any substantive incompatibility with the principles of Monegasque positive law nor with the actual situation regarding international judicial co-operation carried out by the national judicial authorities.
20. GRECO notes the information supplied which shows that substantive deliberation has been initiated by the competent authorities regarding the possibilities of transposing into Monegasque legislation GRECO's recommendations. GRECO wishes to underline that an extension of Monaco's jurisdiction to cover acts of bribery committed abroad by foreign nationals, in accordance with Article 17 paragraph 1 of the Criminal Law Convention on Corruption, would not be devoid of any jurisdictional connection given that in all cases it would involve Monegasque public officials. Bearing in mind that the consultation process is still ongoing and that the government has not yet had an opportunity to state its position on the various changes recommended, GRECO concludes that recommendation xiv has been partly implemented.

Theme II: Transparency of party funding

21. In its Evaluation Report, GRECO had addressed four recommendations to Monaco in respect of Theme II. In the previous Compliance Report, GRECO had concluded that recommendations i, iii and iv had been partly implemented and that recommendation ii had not been implemented. Compliance with these four recommendations is dealt with below.
22. GRECO recalls that on 21 June 2012, the National Council (Parliament) passed a law on the funding of election campaigns, which had been published in the Journal de Monaco on 6 July 2012 as Law No. 1389 of 2 July 2012 and which had come into force on 7 July 2012² (hereafter, "Law No. 1389"). This law establishes six fundamental principles: a legal limit on campaign expenses; reorganisation of electoral campaigning based on an extension of the duration of the "official" campaign and the "pre-campaign"; appointment of financial agents by candidates; the keeping, by these agents, of campaign accounts in which all expenses linked to the election campaign must be recorded in detail and on a daily basis; the establishment of an independent

² Following its publication in the Journal de Monaco, No. 8076 of 6 July 2012

consultative authority to scrutinise the funding of election campaigns, the Campaign Accounts Supervisory Commission (hereafter “the Commission”) and the existence and effective imposition of sanctions, particularly against candidates who breach the rules laid down in the new legislation.

23. This reform did not address the general funding of political parties. In this connection, the authorities drew attention to certain particularities of Monegasque politics which weakened the influence of political parties. The latter reportedly have no significant permanent structures or salaried staff and have only scant funding needs apart from when campaigns are in progress. Accordingly, as stated in the explanatory report to Law No. 1389, they are exempt “to a certain extent from being classified as political parties proper, traditionally understood to constitute permanent “links” between a broad body of voters and their parliamentary representation”.
24. GRECO further recalls that draft law No. F-1-14 of 4 June 2014 was submitted to the National Council on 17 June 2014. This draft law provides for amendments to Law No. 1389 and is aimed at reinforcing the implementation of international recommendations, in particular those made by GRECO. Given that this draft law had been presented at a very late stage, GRECO had been unable to assess it in the Compliance Report and it was agreed that the authorities would keep GRECO informed about the reform process in the on-going compliance procedure.
25. The authorities have now presented the full text of draft law No. F-1-14 of 4 June 2014 and its explanatory report. This draft law introduces the principle of scrutinising electoral income, accounting for “political groupings” and improved conditions for publishing the Commission’s reports. The authorities further states that in a letter sent to the Speaker of the National Council on 10 July 2014, the Minister of State drew the latter’s attention to the urgent need to pass the draft law and to the importance of examining this text as quickly as possible. At the same time, they stressed that the Government had no control over the timetable for examining draft legislation which, in accordance with the provisions of the Constitution, was a prerogative of the National Council.

Recommendation i.

26. *GRECO recommended (i) to introduce full and adequate rules concerning political party and election campaign accounts; (ii) to ensure that income, expenditure and the various assets and liabilities are presented in the accounts in adequate detail, in full and in a coherent form and (iii) to ensure that political party and election campaign accounts are made accessible by the public in an easy and timely way.*
27. GRECO recalls that Law No. 1389 of 2 July 2012 explicitly defined the content of political parties’ campaign accounts. Unlike the former “statement of campaign expenses”, campaign accounts must now include a detailed record of all expenses incurred on behalf of a candidate or list and indicate the manner of commitment of each expenditure item. They are kept by a financial agent, countersigned by an accountant and submitted to a supervisory authority. While welcoming these new rules, GRECO found it regrettable that campaign accounts solely included electoral expenditure, whereas the recommendation required that income, assets and liabilities should also be recorded; that no measure had been taken to introduce accounting rules for political parties; and that campaign accounts were not publicly accessible (only the reports on campaign accounts, as produced by the supervisory body, are published). For these reasons, it had concluded in the Compliance Report that the recommendation had been only partly implemented.

28. The authorities now state that draft law No. F-1-14 of 4 June 2014 contains the following innovations: first, Section 8 of the draft law introduces a new Section 14 bis of Law No. 1389, whereby campaign accounts shall also contain a detailed statement of income received by the candidate/list of candidates together with details of the source of that income. For this purpose, the information provided must include donations, the candidates' personal contributions, their loans (in particular bank loans) and any interest income. As Section 2 of the draft law stipulates, electoral revenue covers donations of any kind obtained by each candidate or each list of candidates in a municipal or national election, in the two years prior to polling day.
29. Second, in the interests of greater transparency, Section 13 of draft law No. F-1-14 removes the 15-day time-limit for any elector to request a copy of the full version of campaign account reports as drawn up by the Commission. Given that the Commission is not a permanent body, it is provided that this right can be exercised via the Secretariat General of the Ministry of State.
30. Third, Section 1 of draft law No. F-1-14 introduces into Monegasque law the principle that an association providing financial support for a candidate or list of candidates shall be considered to be a political association and, as such, shall be required to keep accounts in accordance with the conditions laid down in the law (Section 8 of the draft law introducing Section 14 ter) and in a ministerial decree (along the lines of the accounting rules for non-trading companies (sociétés civiles)).
31. GRECO takes note of the information provided and welcomes the fact that draft law No. F-1-14 of 4 June 2014 amending Law No. 1389 of 2 July 2012 on the funding of election campaigns provides a response to several aspects of the recommendation which had not yet been dealt with at the time the Compliance Report was adopted. It is provided, in particular, that electoral income shall be included in campaign accounts and that associations providing financial support to a candidate or a list of candidates (political associations) shall be required to keep accounts. GRECO is convinced that this draft legislation, if passed, will be a major step in the right direction and will help ensure a satisfactory degree of transparency in the financing of politics in Monaco as a whole. With regard to the third point in the recommendation, GRECO finds it regrettable that the anticipated amendments are limited to the publication of campaign account reports as drawn up by the supervisory authority. The authorities are requested to also include in the draft law the publication of campaign accounts and the accounts of political parties/political associations in a timely way, as was recommended, and to step up efforts to ensure that the draft law is passed as soon as possible.
32. GRECO concludes that recommendation i remains partly implemented.

Recommendation ii.

33. *GRECO recommended (i) to provide a regulatory framework for political party and campaign finances which will inter alia address donations – including donations in kind, which must be assessed at their real market value – loans and contributions from elected members and candidates; (ii) in this connection, to introduce a ban on donations from individuals or institutions that fail to disclose their identity to the political party or candidate, and (iii) to make provision for publication in due course of donations above a certain level and the donor's identity.*
34. GRECO recalls that, according to the Compliance Report, the recommendation had not been implemented, given that no measure had been taken to meet the requirements of the recommendation. The authorities had indicated that "political associations" and, when the latter

were without legal personality, “political groupings” financed themselves freely, in full compliance, nonetheless, with the provisions of ordinary law in respect of associations.

35. The authorities now state that draft law No. F-1-14 shall introduce rules relating to donations into Monegasque law. They stress that the draft law provides for mechanisms to reconcile the requirement for transparency inherent in international standards and the necessary respect for a certain degree of confidentiality, associated with the specific features of the Monegasque political and electoral system, whereby financial support for political activity is a private responsibility. Under the terms of Section 8 of the draft law campaign accounts must include donations, the candidates’ personal contributions, their loans (in particular bank loans) and any interest income. In addition, the draft law contains the following provisions:

- the campaign accounts must indicate the source of funds;
- disclosure of the donor’s name for donations above €1 000;
- an obligation to make the donation by cheque or bank transfer where it is over this amount;
- prohibition for any natural or legal person to make donations larger than a total amount exceeding 10% of the regulatory maximum limit laid down for electoral expenditure;
- prohibition of carrying out transactions designed to conceal the identity of the actual donor (nominee agreement);
- the inclusion, in an appendix to the campaign accounts, of accounting information relating to registered associations having given financial support to candidates or a list of candidates.

36. GRECO notes that the proposed reform provides for rules governing income, in particular donations obtained by candidates or lists of candidates, including disclosure of donations and the identity of donors (except for donations below €1 000) and a prohibition of any means of concealing the identity of the donor. These proposed changes clearly go towards implementing the recommendation. Nevertheless, it would appear that certain parts of the recommendation warrant even more attention: first, the proposed changes make no provision for a mechanism to evaluate donations in kind at real actual market value (see the first point of the recommendation). Second, it would appear that the new rules relate, at present, only to donations and other income obtained by candidates/lists of candidates but not those obtained by political parties/political associations,³ whereas the recommendation concerns the financing of both political parties and election campaigns. Lastly, with regard more particularly to the third point in the recommendation, it would appear that the proposed amendments do not provide for the publication of donations and the identity of donors as they do not lay down a requirement to publish campaign accounts and the accounts of political parties/political associations in full (they provide only for the publication of the campaign account reports as drawn up by the supervisory authority – see under recommendation i above). The authorities are requested to take these various concerns into account in the reform process.

37. GRECO concludes that recommendation ii has been partly implemented.

³ In this context, it should be noted that there are plans for additional rules applying to such associations: under the terms of Section 8 of the draft law, a ministerial decree will lay down the arrangements for drawing up the accounts of registered associations which have given financial support to a candidate or list of candidates in a municipal or national election.

Recommendation iii.

38. *GRECO recommended to ensure the effective and independent public monitoring of political party and campaign financing, in accordance with Article 14 of Recommendation Rec(2003)4 on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns.*
39. GRECO recalls that Law No. 1389 of 2 July 2012 instigated the scrutinising of campaign accounts – for both national and municipal elections – through a newly created independent consultative body, the Campaign Accounts Supervisory Commission which is not a permanent body and meets after every election. The Commission's powers include verifying whether lists of candidates and candidates not affiliated with a list have filed full accounts within the time-limit specified and whether these accounts show any irregularities. While welcoming this reform in the Compliance Report, GRECO found it regrettable that it made no provision for scrutinising the income of candidates/lists of candidates or of the accounts of political parties/political associations as had been recommended. For these reasons, the recommendation was deemed to have been partly implemented.
40. The authorities state that the amendments to the monitoring mechanism contained in draft law F-1-14 include an extension of the scrutiny carried out by the Commission to cover electoral income (see Section 2 of the draft law) and the accounts of political associations. Under the terms of Section 10 of the draft law, one of the aims of the Commission's campaign account reports is to identify any shortcomings or inadequacies in the accounting information of a registered association having given financial support to a candidate or list of candidates.
41. GRECO takes note of the information provided and believes that the amendments to the monitoring mechanism contained in draft law F-1-14 would fill the gaps in the current arrangements, as identified in the Compliance Report, and more specifically, with regard to the Commission's verification of the income of candidates/lists of candidates and scrutiny of the accounts of political parties/political associations. The authorities are therefore invited to fully implement the reforms initiated and ensure that the powers and resources allocated to the Commission will allow it to exercise full and proactive oversight.
42. GRECO concludes that recommendation iii remains partly implemented.

Recommendation iv.

43. *GRECO recommended that the future rules on political party and election campaign financing be accompanied by effective, proportionate and dissuasive sanctions for breaches of the various requirements of these rules.*
44. GRECO recalls that the Compliance Report had concluded that the recommendation had been partly implemented. Law No. 1389 includes a range of sanctions (administrative, criminal and electoral), proportionate to the seriousness of the breaches concerned, which may be imposed upon candidates who fail to observe the rules set out in the new legal provisions on electoral campaign funding. GRECO had welcomed the fact that its proposals to introduce various types of sanction had been acted upon, but had noted that the rules governing transparency – and consequently the sanctions regime – currently covered neither electoral campaign income nor the financing of political parties/political associations as a whole. Furthermore, GRECO had felt that it would have been more appropriate for the Commission to be able to impose these sanctions directly.

45. The authorities state that draft law No. F-1-14 sought to amend several aspects of the sanctions regime. Amongst other things, given that the draft law provided for an extension of the scope of the campaign accounts and the scrutiny of the Commission to also include electoral income and the accounts of political associations (see under recommendations i and iii, above), any irregularities identified by the Commission in these areas would be punishable by certain of the sanctions as provided for in Law No. 1389, in particular some or all of the campaign expenses not being refunded in pursuance of Section 24 of that law.⁴ In addition, this would also apply in the event of any concealment of the identity of the donor. Moreover, in accordance with the draft law, the criminal sanctions provided for in Section 26 of the law would also be applicable to any candidate who concealed donations from a natural or legal person which exceeded 10% of the maximum allowable amount.
46. In contrast, the reform does not grant the Commission the right to itself impose sanctions directly. The authorities point out in this connection that the sanctions laid down in Law No. 1389 are administrative, criminal or electoral and that the Campaign Accounts Supervisory Commission is an independent consultative body, which is administrative in nature and consequently, on account of this, not empowered to exercise judicial authority. The latter lies solely with the courts in accordance with Article 5 of the Constitution, and this is a consequence of the separation of administrative, legislative and judicial functions, established by Article 6.
47. GRECO notes that the proposed amendments contained in draft law No. F-1-14 extend the sanction regime to cover irregularities regarding the declaration of income by candidates/lists of candidates or concerning the accounts of political parties/political associations, as it had recommended in the Compliance Report. With regard to the Commission's right to itself impose sanctions in the event of any breach of the rules governing political funding, GRECO accepts the arguments submitted by the authorities to the effect that it would be inexpedient at present to grant it this right, as this would constitute a major upheaval of the Monegasque judicial system.
48. GRECO concludes that recommendation iv remains partly implemented.

III. CONCLUSIONS

49. **In the light of the conclusions contained in the Third Round Compliance Report on Monaco and of the foregoing, GRECO concludes that Monaco has implemented satisfactorily or dealt with in a satisfactory manner twelve of the eighteen recommendations contained in the Third Round Evaluation Report.** The remaining six recommendations have been partly implemented.
50. More particularly, with regard to Theme I – Incriminations, recommendations i to xi and xiii have been implemented satisfactorily and recommendations xii and xiv have been partly implemented. As regards Theme II – Transparency of Party Funding, all four recommendations have been partly implemented.
51. With regard to incriminations, GRECO welcomes the measures taken by the Monegasque authorities to make it clear to practitioners that the offence of bribery does not necessarily require the existence of an agreement between the parties. On the other hand, it calls once again on the authorities to specify, through appropriate measures, that these offences unambiguously cover all national and foreign arbitrators and jurors, within the meaning of the Additional Protocol to the

⁴ In addition, the electoral sanctions (complete or partial annulment of the election) provided for in Section 25 of Law No. 1389 would also apply in the event of "serious irregularity" in the statement of electoral income.

Criminal Law Convention on Corruption (ETS 191), and to continue to discuss the issues of extending Monaco's jurisdiction over acts of bribery and trading in influence – including those committed by foreign public officials or by foreign nationals in respect of Monegasque public officials – and withdrawing its reservation to the Convention on this point.

52. Turning to transparency of party funding, GRECO welcomes the Monaco Government's initiative of submitting to the National Council (the parliament) on 17 June 2014 a draft law (No. F-1-14 of 4 June 2014) amending Law No. 1389 of 2 July 2012 on the funding of election campaigns. The aim of this draft law is to “enhance the implementation of international recommendations”, in particular those made by GRECO. Amongst other things, it introduces rules governing electoral income and, in particular donations, the principle of the scrutiny of this income by the Campaign Accounts Supervisory Commission, accounting for “political groupings” and monitoring of those groupings, and extension of the sanction regime to cover irregularities in these areas. These proposed changes clearly go towards implementation of GRECO's recommendations, despite the fact that some additional measures are required, particularly with regard to the publication of campaign accounts and the accounts of political groupings. In conclusion, it is essential that the authorities step up their efforts to complete the reform process as soon as possible.
53. Considering that six fundamental recommendations – including the four recommendations on the transparency of party funding – have not yet been fully implemented, GRECO, in accordance with Rule 31, paragraph 9 of its Rules of Procedure, invites the Head of the Monegasque Delegation to submit additional information regarding the implementation of recommendations xii and xiv (Theme I – Incriminations) and recommendations i to iv (Theme II – Transparency of Party Funding) by 31 July 2017 at the latest.
54. Finally, GRECO invites the Monegasque authorities to authorise the publication of this report as soon as possible.